

A Work Session of the Clarence Town Board was held on March 4, 2009 at Clarence Town Hall, One Town Place, Clarence, NY.

Supervisor Scott Bylewski called the meeting to order at 9:03 A.M. Members of the Town Board present were Council members Joseph Weiss, Bernard Kolber, Patrick Casilio and Peter DiCostanzo. Other town officials present were, Town Attorney Steven Bengart, Town Engineer Joseph Latona, Assistant Town Engineer Tim Lavocat, and Intern in the Legal Department Jason Pazda.

Town Engineer – Joseph Latona

The Town is planning a sprinkler system for the Clubhouse that will require a tap onto the current waterline which is maintained by Erie County Water. There are five other buildings being serviced by this waterline. The EC Water Authority is suggesting a back-flow and a meter for each of the buildings which would mean five separate meter charges. Rather than six meters, Town Engineer Latona suggested having the master meter and back-flow at the road. The material will be purchased and installed by the Parks Department. The Town Board was in agreement with this. Councilman Casilio stated that the fire department has an agreement with the county to hook up their fire trucks to the hydrant to do drills however the water will now be metered.

Town Engineer Latona had an Attorney-Client item to discuss.

The Work Session recessed at 9:20 A.M.

The Work Session reconvened at 9:47 A.M.

Tony Sojka of 7705 Goodrich Road contacted Councilman Weiss regarding a drainage issue and snowmobilers knocking down his fence. Several years ago Mr. Sojka requested a culvert pipe be installed on his property. The Highway Department installed the culvert however; Mr. Sojka would now like it removed. Highway Superintendent Ted Donner would prefer the culvert remain in place because it allows his department access to mow the grass in that area.

Mr. Sojka was concerned with moving the water through his property and why we don't make bigger culverts down stream from him. Town Engineer Latona informed him that we usually don't improve drainage in the middle of the system because you can flood people down stream. Town Engineer Latona informed Mr. Sojka that the town is looking into an overall drainage culvert plan and as we manifest it, the situation should improve however; Mr. Sojka lives on the creek which backs up and floods all the vacant land. It does not threaten his house, it is basically his yard and everyone else's yard that is on Black Creek and Delaware Road – it is all wet lands. Highway Superintendent Ted Donner was going to do some rip rapping to dissipate energy from water making a hard turn. He was also going to provide a pipe so snowmobilers could get across. The snowmobilers are following the right-of-way.

Supervisor Scott Bylewski

Supervisor Bylewski announced vacancies on several boards and committees (Avoidable Alarm, Community Residences, IDA, Inter-Community Committee, Landscape Review Board, Library Board, Meeting House Board, Public Safety Committee and the Audit Committee).

Community Day of Caring is scheduled for Sunday, March 8, 2009. This is a volunteer, private effort – it is not sponsored in any way by the Town of Clarence.

Town Attorney Bengart received a call from a day salon/spa on Main Street. They are hosting an event to raise money to be used to benefit the victim's families of flight 3407. They are requesting the town waive their sign permit fee advertising the event and they do not want to loose their right for a temporary sign at a later date. The Town Board would make an acceptance as to the number of signs allowed in one year however, the salon would be charged the

temporary sign permit fee. We have many non-for-profit groups that pay the temporary sign permit fee.

The Clarence Hollow Association is hosting a "brainstorming" meeting on Saturday, April 4, 2009 to discuss ways to revitalize Clarence Hollow.

Supervisor Bylewski met with the Lean Six Sigma business advisory group. If anyone has any ideas for a project, e-mail the Supervisor's office.

Supervisor Bylewski has discussed changing liaison assignments with both Councilman Kolber and Councilman DiCostanzo. Councilman DiCostanzo will be liaison to the Meeting House Board in conjunction with his original assignments to the Historical Society and Historical Preservation Commission.

Supervisor Bylewski received a petition from a group of residents regarding the open registration for the pavilions. The petition asked that the Town of Clarence establish clear rules about how to reserve pavilions and how to make them available to the public. The policy has always been "first come, first serve." Several people took it upon themselves to set up their own numbering system and their own rules. Supervisor Bylewski suggested posting on our website that reservations are taken on a first come, first serve basis. The day the reservations are taken, have it posted on the doors that a numbering system and sign-up sheet are not acceptable; you must physically be in line.

Supervisor Bylewski has two items to discuss in Executive Session under employment history of a corporation.

Councilman Joseph Weiss

Councilman Weiss had no report.

Councilman Bernard Kolber

Councilman Kolber received notification from WNY Nurserymen's Association offering their services relative to Flight 3407. Supervisor Bylewski forwards all notifications of this type to Mike Powers who is in charge of the coordination of volunteers.

Councilman Kolber would like to see ID badge system/photo identification for all town employees. Councilman Weiss stated that the ID system could also be used for residents using the town swimming pool. Councilman Casilio stated that he would be in favor of clothing for town officials even if he had to pay for it himself such as windbreakers, jacket etc. with name of person and title. Supervisor Bylewski stated that our Disaster Coordinators have been exploring this.

Councilman Kolber has two items to discuss in Executive Session regarding the employment history of individuals.

At the February 25, 2009 Work Session, Supervisor Bylewski circulated a request by Deb Tangelder for a 5K run/walk and a one mile fun run to benefit families of Flight 3407. As of this morning, Deb Tangelder has withdrawn her request as there are too many conflicting events and could not be worked out with the fire company for this year. Supervisor Bylewski is meeting with Kevin Paterson regarding his Take Back the Path run, some of the proceeds will be used towards cameras on the bike path and some proceeds will go towards Flight 3407.

Councilman Patrick Casilio

Kevin Patterson coordinated a run two years ago and donated \$8,000 to the town. He had 700 runners on a multiple run night. He has a run scheduled for August 7, 2009 and is the only run scheduled for that night; he has the capacity to bring thousands of runners. Kevin Patterson would like to continue the run in memory of Joan Diver so he can continue to purchase equipment or whatever is

needed for the bike path and he is interested in raising money for Clarence Center as well. Since the disaster of Flight 3407, Supervisor Bylewski stated that over 400 people have volunteered to help out in some way; some of the volunteers could help with registering runners.

Supervisor Bylewski asked that if anyone gets information regarding volunteer efforts, they should forward the information to volunteer@Clarence.NY.US.

One of the safety vehicles is just about ready to be put into service. The radios are being worked on. Anthony Haas has some changes to the Standard Operating Procedures such as not using the red lights on the vehicle. Councilman Casilio stated that he is going to hold up on the vehicles until he can sit down with everyone and review the Standard Operating Procedures and have everyone sign off so there is no question about it.

The video camera poles will be installed April 1st. We need the warmer weather to pour concrete.

Councilman Peter DiCostanzo

Councilman DiCostanzo heard that the Town and the City of Batavia are looking into consolidating.

Councilman DiCostanzo questioned what happens to the uncollected County taxes once the rolls get turned over to the County and who is responsible for making sure that those taxes get paid.

Councilman DiCostanzo commented on an article in the Buffalo News regarding health care benefits for government retirees. According to projections, the town of Orchard Park will see its costs for retiree health care rise 70 percent by 2012, reaching \$821,000. Orchard Park Supervisor Mary Travers Murphy was quoted as saying "she will ask the town's labor attorney to look into any possible savings that can be made under existing rules. In addition, the value of the benefit will be a significant factor in future negotiations. We need to have this information with us every time we hit the bargaining table." The Town of Clarence has approximately 20+ retirees that are involved with health care of some kind. We do not have the same level that other towns have.

Councilman DiCostanzo commented on an article in the Buffalo News regarding the Town of Akron considering the formation of an auxiliary police unit.

Councilman DiCostanzo shared some of the information he received from the Association of Towns meeting included making sure all public/private roads are built to town specs; make sure we are not insuring assets we no longer own, this includes not only vehicles and equipment but any town owned structures.

Town Attorney Bengart notified Joe Floss to put our carrier on notice for anything regarding Flight 3407.

NYSERDA (NYS Energy Research & Development Authority) will audit any town building free of charge, once they do a walk through, they will submit a report and the town can then apply to NYSERDA for a grant to make our buildings more energy efficient.

According to a seminar Councilman DiCostanzo attended at the NYS Association of Towns meeting, the Town Board should be auditing the Town Clerk office. Supervisor Bylewski stated that he receives a monthly report from Town Clerk Nancy Metzger which lists all monies collected by that office. Councilman DiCostanzo copied Supervisor Bylewski on a check list of items he should be looking for.

Councilman DiCostanzo has one Attorney-Client item and the employment history of an individual to discuss in Executive Session.

Motion by Supervisor Bylewski, seconded by Councilman Kolber to enter into Executive Session pursuant to § 105(1) F of the Open Meetings Law to discuss the employment history of a particular person(s) and the employment history of a corporation. Upon roll call – Ayes: All; Noes: None. Motion carried.

There being no further business, the Work Session adjourned at 11:00 A.M.

Darcy A. Snyder
Deputy Town Clerk

Councilman Casilio left the Executive Session at 11:24 A.M.

Motion by Supervisor Bylewski, seconded by Councilman Weiss to adjourn the Executive Session at 11:30 A.M. Upon roll call: Ayes: Councilman DiCostanzo, Councilman Kolber, Councilman Weiss, Supervisor Bylewski; Noes: None. Absent: Councilman Casilio. No action taken.